



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,322	08/23/2001	Liang He	884.487US1	2637
21186	7590	01/25/2005	EXAMINER	
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. P.O. BOX 2938 MINNEAPOLIS, MN 55402			LE, DEBBIE M	
			ART UNIT	PAPER NUMBER
			2167	

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/938,322

Applicant(s)

HE ET AL.

Examiner

DEBBIE M LE

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/24/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Applicants' filed arguments on 9/24/04. Claims 1-24 are presented for examinations.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Information Retrieval Center for accommodating the differing formats of the client devices.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-13, 17-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Shiau (US Patent Application 2002/0091527 A1):

As per claim 1, Shiau discloses a system comprising:

a command interpreter engine (speech recognition, ¶ 0027-0029) to detect keywords in speech input (input speech);

a search and analysis engine to search a network for contents based on the keywords (¶ 0028-0029);

a transformation engine to convert a data format into a format supported by a client device (¶ 0031-0032).

As per claim 2, the gateway of claim 1, Shiau teaches wherein the transformation engine is to convert an image from one format into another format (¶ 0004).

As per claim 3, the gateway of claim 1, Shiau teaches a service sniffer to distinguish between different inputs from different clients and to direct the different inputs to appropriate services within the gateway (¶ 0005, *access lines; busy signals*).

As per claim 4, the gateway of claim 3, Shiau teaches wherein the service sniffer is to direct telephone services to a voice portal (¶ 0005, *voice portal*).

As per claim 5, the gateway of claim 3, Shiau teaches wherein the service sniffer is to direct DSR (distributed speech recognition) services to a DSR portal (§ 0027, *distributed speech recognition*).

As per claim 6, the gateway of claim 3, Shiau teaches a quality of service daemon to receive quality of service requesting information from the client (§ 0034, *VerbalWAP server daemon*).

As per claim 7, the gateway of claim 6, Shiau teaches wherein the quality of service daemon is further to adjust quality of service parameters of the client device according to network conditions and then to send the adjusted quality of service parameters to the client device (§ 0029, parameterizing an input speech signal, § 0041).

As per claims 8 and 13, the gateway of claim 1, Shiau teaches a text-to-speech engine to translate text in the contents into audio speech (§ 0031).

As per claim 9, the gateway of claim 1, Shiau teaches a speech coder to compress audio to accommodate bandwidth of a transmission medium between the client device and the gateway (§ 0004-0005).

As per claims 10-11, the gateway of claim 1, and 17-18, the gateway of claim 12, Shiau teaches a publish rendering engine to convert a display page into multiple pages, display line into multiple lines (§ 0032).

As per claims 19 and 20, the method of claim 12, Shiau teaches wherein the user input comprises an address of the contents, wherein the address is a uniform resource locator (§ 0036).

As per claim 21, the method of claim 12, Shiau teaches wherein the feature further comprises at least one keyword in the user input (§ 0028-0029).

Claim 12 is rejected by the same rationale as state in independent claim 1 arguments.

Claim 22 is rejected by the same rationale as state in independent claims 1 and 12. Furthermore, Shiau teaches adapting the contents for transmission to a telephone (fig. 1, # 101).

As per claim 23, the program product of claim 22, Shiau teaches wherein the feature comprises a keyword to be searched (§ 0029).

As per claim 24, the program product of claim 22, Shiau teaches wherein the adapting further comprises: translating text in the contents into audio speech (§ 0031).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiau (US Patent Application 2002/0091527 A1) in view of Kitahara et al (US Patent Application 20020046035 A1).

As per claims 14-16, Shiau does not explicitly teach adapting the contents to a screen size, resolution and color depth of the client. However, Kitahara teaches wherein the adapting further comprises adapting the contents to a screen size, resolution and color depth of the client (§§ 0041-0042). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to provide a adapting the contents to a screen size, resolution and color depth of the client because it provides a flexibility to the user select the desired scene in order to display data according to the user's telephone terminal (§§ 0075).

Response to Arguments

Applicant's arguments filed 9/24/04 have been fully considered but they are not persuasive.

Applicants argued that Shiau fails to teach a transformation engine to convert a data format used in the contents retrieval from the network into a format supported by a

client device and adapting the contents to a client and adapting the content for transmission to a telephone.

In response, the examiner respectfully disagrees. The examiner submits that Shiao does teach at page 5, ¶ 0041, Figure 13 that “a client-pull speech recognition system 1300...and a plurality of clients 1306...A vocoder 1311 generates the voice data frames from the input speech...for transmission to a client speech subroutine 1312 which performs speech feature extraction and **generates a client payload**. A system-specific profile database 1314 stores and transmits **system-specific client profiles**...A speech recognition server 1317 is communicable with gateway server 1304 and **performs speech recognition of the formatted client payload**...receives the formatted client payload from payload formatted 1313, converts the client payload to a wireless speech TP query...and transmits the content ...to client 1306 to be displayed on display 1309”. Thus, Shiao teaches generates a client payload based on a client’s specific profiles and converts the client payload to a wireless speech. Final, the content is transmitted to client 1306. From the above passages, Shiao does indeed teach the instant application claimed language “a transformation engine to convert a data format used in the contents retrieval from the network into a format supported by a client device and adapting the contents to a client and adapting the content for transmission to a telephone”

Applicants argued that Kitahara fails to teach adapting the contents to a screen size, resolution, and color depth of the client.

In response, the examiner respectfully submits that Kitahara teaches that “on the telephone terminal 1, in order to shift the reversal in black and white” and “the designation of scene may be accomplished by, instead of displaying scenes on the display 101 of the telephone terminal 1 and letting the user select the desired scene with the vertical shift button...and the user may thereby enter a telephone number matching the desired scene [see page 3, ¶ 0042]. Kitahara further discloses that the ICNTth display out of RECOGS(INDEX+1), RECOGS(INDEX+2),... and RECOGS(INDEX+M) is displayed on the display 101 of the terminal 1 in highlight [see page 4, ¶ 0052]. Wherein “The variable M, which may be set according to the size of the display 101 [see page 7, ¶ 0071, last 3 lines]. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to provide a adapting the contents to a screen size, resolution and color depth of the client because it provides a flexibility to the user select the desired scene in order to display data according to the user’s telephone terminal, as suggest by Kitahara [see ¶ 0075].

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2167

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEBBIE M LE whose telephone number is (571) 272-4111. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN BREENE can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

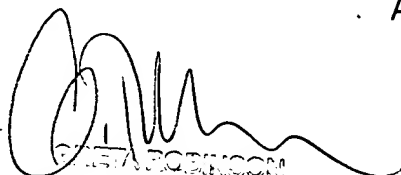
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Debbie Le

Jan. 18, 2005.

DEBBIE M LE
Examiner
Art Unit 2167



GREG ROBINSON
PATENT EXAMINER